

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-100803
	:	TRIAL NO. B-0907368
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
ZACHARIAH REVELL,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 11.1.1.

The trial court convicted defendant-appellant Zachariah Revell, pursuant to his guilty plea, of one count of child endangerment, under R.C. 2919.22(B)(1). In four assignments of error, he now appeals that conviction.

Revell first argues that his guilty plea was not knowing, voluntary, or intelligent because he had an I.Q. of 80. He also claims that trial counsel failed to inform him that certain medical conditions might have explained the child's injuries and that trial counsel promised him that he would receive community control. In his third assignment of error, Revell claims that the trial court improperly denied his motion to withdraw his plea for the same reasons.

We overrule Revell's first and third assignments of error. The trial court engaged in a full Crim.R. 11 colloquy. The record supports the conclusion that Revell's plea was knowing, voluntary and intelligent. And there is no evidence in the record that trial counsel had failed to inform Revell of any possible defenses, that trial counsel had guaranteed community control, or that Revell had not been informed about possible defenses.

In his second assignment of error, Revell claims that counsel was ineffective for failing to inform him about medical evidence that could have provided a defense to the charge. But there is no evidence in the record to support this claim. His second assignment of error is overruled.

In his final assignment of error, Revell claims that his sentence is void because he was not properly advised of post-release control. During Revell's plea hearing, the trial court properly told him that he would serve three years of post-release control. During the sentencing hearing, the trial court said "You may have—I'm sorry, you shall have three years of post-release control." Revell claims that this slip, coupled with his claimed low I.Q. score, renders the sentence void. But the record indicates that Revell understood the proceedings, and the misstatement—which the trial court did not even finish making before correcting itself—is insufficient to show otherwise. Therefore, we overrule his fourth assignment of error.

The judgment of the trial court is affirmed.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

DINKELACKER, P.J., CUNNINGHAM and FISCHER, JJ.

To the Clerk:

Enter upon the Journal of the Court on September 28, 2011

per order of the Court _____.

Presiding Judge